

FAIRFAX TO SUE MORGAN FOR WILL

Attorney General Will be
Requested to Act in the
Matter at Once.

CUT FROM THE BOOK.

Carried From Virginia During Civil
War—Will of George Mason Van-
ished About Same Time.

When the State Legislature meets in Richmond next week, State Senator R. Ewell Thornton, of Fairfax county, will introduce a resolution authorizing and instructing the Attorney General of the State to institute suit against J. P. Morgan in the United States Supreme Court for the recovery of the will of Martha Washington which is in the library of the New York financier.

The will of Martha Washington, wife of the first President of the United States and the richest woman of this section of the country in her day, was cut from the record book of Fairfax county while the war between the States was raging in that part of Virginia. At the same time the will of George Mason, who wrote the bill of rights, was taken from the same book.

For more than fifty years the people of Fairfax county have searched for the Martha Washington will, which they prized very highly as a relic. Not long ago some one saw the will among Mr. Morgan's collection notified a friend in Fairfax, and an effort was made to have the document returned to where it rightfully and legally belongs.

Mrs. John S. Barbour, regent of the Falls Church Chapter of the Daughters of the American Revolution, acting for her organization, wrote and asked Mr. Morgan to return the will, which she said, had been "taken" from the records of Fairfax county.

Mr. Morgan's secretary replied that Mr. Morgan was in France, but that the letter would be called to his attention on his return.

Just after Christmas Eve, Mrs. Barbour received the following letter from Mr. Morgan's librarian:

Mr. Morgan's Library,
New York, Dec. 26, 1913.

Mrs. J. S. Barbour, Fairfax, Va.

Dear Madam—Upon his return from England, Mr. J. P. Morgan has read your letter of November 10, and in reply, has asked me to say that he regrets he is unable to accede to your request that the will of Martha Washington be returned to the archives of Fairfax county.

Mr. Morgan desires me to say that he will be glad to have this will photographed and send you a set of such photographs, if you desire. He would appreciate the return courtesy of a photographic reproduction of the will of George Washington, which is deposited in the archives of Fairfax county.

Very truly yours,
BELLE DA COSTA GREEN,
Librarian.

The State organization of the Daughters of the American Revolution supported the Falls Church Chapter in making the request for the will on Mr. Morgan.

Having failed to get the document by gentle means, the people of Fairfax county will now ask the State to take legal steps to regain it.

A decade or longer ago F. W. Richardson, who has been clerk of Fairfax county for thirty years, began to receive letters from persons in New York asking if a clear title to the will of Martha Washington could be had. Mr. Richardson invariably responded that the original will of Martha Washington belonged to the people of Fairfax county and could not be legally disposed of by any one in whose possession it has fallen.

Mr. Richardson's mind is not clear on the names of those who wrote him. Six years ago a friend of R. Walton Moore, a prominent attorney, of Washington and Fairfax, told Mr. Moore that the Martha Washington will had been seen in the collection of wills belonging to J. P. Morgan, Sr. Mr. Moore told C. Vernon Ford, now Commonwealth's Attorney at Fair-

NEWS OF THE DAY

While Leslie Kenyon, the English actor, whom she loved devotedly, was being buried yesterday at New York, Lillian Sinnott, one of the best known young women of stardom, took her own life. Mrs. Louise Sinnott, the crippled mother of the actress, found her daughter's body in the bathroom of their home in New York. The left wrist and the throat had been slashed with a razor. The suicide left two notes, one giving all her property to her mother and the other begging forgiveness for her act and saying: "You know how I loved Leslie. A fortnight before his death he was not well and said he would be glad to go if I was with him."

Louis Bazelaiz, consul general of Haiti, in New York, announced that Gen. Cyrille Celestin, one of the best known public men in Haiti, was executed with a score of his leaders at Thomazau, on charges of treason last Thursday afternoon.

George Wright, manager of a moving picture theater in Philadelphia, has been held in \$800 bail for a hearing Thursday on the suspicion of drugging Miss Carrie Plum, nineteen years old, of Newark, N. J., who is in the Philadelphia Hospital.

There has been an unprecedented fall of snow throughout Spain and many villages are isolated. Starvation is feared at points where highways and railroads are blocked and no provisions can be taken.

NEGRESS ARRESTED.

Wanted in Virginia to Answer Charge of Attempted Murder.

Baltimore, Md., Jan. 6.—After eluding the Virginia authorities for more than a year, Mamie Savage, a negress 28 years old, wanted by the sheriff of Northampton county, Va., on the charge of shooting and attempting to murder her husband, Geo. Savage, was arrested today by Detectives Bradley and Berney, of headquarters.

The negress did not deny that she shot her husband at their home near Franktown, Va., in March, 1912, but said that her spouse had first attacked her.

Then, she said, she picked up a shot gun and discharged both barrels at him as he was entering the door.

After the shooting the woman fled the county, making her way to a railway station twelve miles from her home and finally reached Philadelphia.

Sheriff Samuel A. Jarvis, of Northampton county, appeared before Justice Supplee this morning with a warrant and a capias for the prisoner and she was delivered into his care.

Annual Meeting.

The 45th annual meeting of the Independent Mutual Fire Insurance Co., of Fairfax Co., Va., will be held at the company's office, Alexandria, Va., on Monday, January 12th, 1914, at 10 o'clock, A. M.

JAMES W. ROBERTS,
2 to 10th President.

fax, what he had heard. The board of supervisors of Fairfax county was notified and Mr. Ford was directed to write Mr. Morgan. Several letters were sent to the elder Morgan, but he never replied to any of them. Mr. Ford learned indirectly later that Mr. Morgan had said that the will of Martha Washington was contraband of war—lost—and he had a right to keep it.

The matter was dropped for years. After the death of the elder Mr. Morgan the Fairfax people became interested in the will again. The Daughters of the American Revolution undertook to get it. They had read in the papers of instances where Mr. Morgan, Jr., was returning to France and other foreign countries certain valuable papers that had been stolen from official records and sold to his father. They thought that he would return to Virginia the Martha Washington will.

The first legal steps to regain the will will be taken when Mr. Thornton introduces his resolution next week. Mr. Thornton has the assurance of enough support to pass the measure.

The suit brought to recover the will will be unique in that the State of Virginia sues an individual before the Supreme Court of the United States. It will be one of a few instances where a State has sued a citizen in the Supreme Court.

SUPREME COURT GRANTS PETITION

Holds Corporation Commission Lacks Jurisdiction in Rolling Stock Case.

AWAITING DECISION.

Argument Between Attorneys For Cities and Counties Expected to Come up Late This Week.

Richmond, Va., Jan. 6.—The Supreme Court of Appeals yesterday granted an appeal in the rolling stock case, from the decision of the State Corporation Commission, rendered on December 9th, which prevented the distribution of railroad taxes among the several counties, cities and towns and school district through which the road passed.

In rendering its decision the Corporation Commission held the law passed by the last general assembly equalizing the taxes on railways as unconstitutional.

In granting the appeal yesterday the Supreme Court required a bond of \$200 until the case comes up for argument. This is expected to be some time before the legislature convenes on January 14th. There were four notations as grounds for the granting of the appeal, which are as follows:

First. The State Corporation Commission is without jurisdiction to hear and decide the question raised by the counties.

Second. The judicial powers of the commission do not extend to nor do they embrace the determination of the question.

Third. Although the judicial power should be held to embrace the matter in the petition, yet the petition is not sufficient in the law set forth to provide grounds for the relief prayed for.

Fourth. If there is any legal merit to the contentions in the petition, which those represented here deny, such contentions are available only to the railroad corporations affected by the assessments and are not available to the city of Petersburg or the counties and towns interested.

The petition pleaded that the court order the decision revised and reversed and the taxes proportioned to the counties. It was decided to style case "the board of supervisors of Henrico county and others against the commonwealth at the relation of the city of Petersburg and others."

As an outgrowth of the rolling stock case a bill is to be introduced into the general assembly designed to give the counties all of the taxes.

The decision from the appeal granted yesterday will be awaited with great interest throughout the state, as it will have considerable bearing on the future legislation controlling rolling stock. Before the enactment of the present law the cities derived great revenue from the rolling stock because of the fact that they were the headquarters of the railroads, although much of the rolling stock was held on yards located in the counties.

DEATH OF REV. DR. SMART.

Charlottesville, Va., Jan. 6.—The Rev. Dr. Richard D. Smart, 67 years old, one of the ablest divines in Southern Methodism, died Sunday at the University Hospital, following an illness of several months.

Dr. Smart was born in Beaufort county, South Carolina.

HELP WANTED.

WANTED—Canvassers in every town. Good opportunity for the right person, must be able to furnish reference. E. A. Van Dervoort, General Delivery, Alexandria, Va. 62c

Stockholder's Meeting.

The annual meeting of the stockholders of the District of Columbia Paper Mfg. Co., Incorporated, will be held at the office of the company, No. 111 S. Fairfax street, Alexandria, Va., on Monday, January 19, 1914, from 12 o'clock noon to 1 P. M., for the election of directors and for the transaction of such other business as may properly come before the meeting.

G. L. NICHOLSON,
President.

DEATH OF JUSTICE McLEARY.

Deceased Was Veteran of Two Wars and Grand Master Mason of Texas.

James H. McLeary, associate justice of the Supreme Court of Porto Rico, died at the Walter Reed Hospital, Washington, yesterday morning, after an illness of several months.

The deceased had made many acquaintances in Alexandria, especially in the masonic fraternity, during recent years, he having been one of the organizers of the George Washington Masonic National Association. He visited this city February 22, 1910, as representative of the Grand Lodge of Porto Rico, and made an address at the banquet given by Alexandria-Washington Lodge that night. While in the city he met Past Grand Master Wm. B. McChesney, of Virginia, for the first time in twenty five years, the deceased and the former Grand Master having been class-mates at Washington-Lee University under General Robert E. Lee. They formed part of the guard of honor at the great chief-tain's funeral in 1870. At the banquet that night Senator Chamberlain, of Oregon, was present. He, too, was a classmate of Justice McLeary and former Grand Master McChesney. It was the first time the Senator had met the companions of his youth since his school days. The meeting was greatly enjoyed by the trio.

Justice McLeary went to Washington last fall to visit his son, Lieut. Sam. H. McLeary, U. S. A., and was about to return to Porto Rico when he was seized with the malady which resulted in his death.

Justice McLeary was a native of Tennessee, but went to Texas in his youth and during the civil war served in the Confederate army. He also served in the Spanish war as major and judge advocate on the staff of Gen. Lawton, and soon after was appointed by President McKinley to the judicial position which he held at the time of his death. Judge McLeary was formerly Grand Master of Masons of Texas.

Burial will be made tomorrow afternoon in Arlington National cemetery with Masonic and military honors. Past Grand Masters William H. Nichols, of the Grand Lodge of Texas, by invitation of Grand Master T. John Newton, of Washington, performing the burial service of the fraternity.

CHURCH INSURANCE COMPANY.

Unique Methodist Corporation Likely to be Headed by North Carolina Man.

Statesville, N. C., Jan. 6.—Rev. John F. Kirk, pastor of Broad Street Methodist Church, Statesville, N. C., has returned from Greensboro, where he attended a meeting of the committee appointed by the Western North Carolina Conference of the Southern Methodist Church, to work out a plan for the organization of a mutual fire insurance company.

Colonel James A. Young, State Insurance Commissioner, met with the committee in Greensboro and aided them in formulating their plans. The State will require that the company start with \$200,000 of property insured, with 200 separate risks. Provisions will be made by the company to insure all Methodist Church buildings and furnishings, parsonages and household goods, education institutions, orphanages, etc., against loss by fire, lightning, wind or tornado. The company expects to carry insurance on \$5,000,000 worth of property in the State. It will probably charge the current rates of the old line companies, with the provisions that all funds over and above the actual cost of insurance and a reasonable reserve fund be returned to the policy holders in dividends annually. It is expected that about 50 per cent of the premiums collected will be returned in dividends to the churches insured.

Fugitive Returns.

Richmond, Jan. 6.—After remaining in seclusion for more than three months, David Deane, who was indicted at the last meeting of the Henrico county grand jury on a charge of mistreating his wife and who failed to put in his appearance when his case was called in court, suddenly walked into Henrico jail Sunday afternoon and surrendered himself to Jailer Riter C. Garnett.

He refused to disclose his hiding place.

Norfolk Fried Oysters at Rammel's Cafe.

DEMOCRATS FORM A NEW LEAGUE

Leaders Favor Referendum And Recall Except as to Judges.

L. H. MACHEN ATTENDS

Calls For Convention and Election of Corporation Commission by People.

Richmond, Va., Jan. 6.—Leaders of the Progressive wing of the Democratic party in Virginia held a conference yesterday at the Hotel Reuger, and organized the Virginia Progressive Democratic League, with John Garland Pollard, Attorney-General elect, as president. A definite statement of principles was adopted, calling for a State Democratic convention, delegates to which are to be chosen by primary as soon as the primary laws have been revised.

A committee was named to issue an address to the people of Virginia. The platform adopted proposes the initiative, referendum and recall, except as to judges; a demand for vigorous reform of the primary laws; for public sessions of all legislative committees, presidential preferential primaries, election of corporation commissioners by the people, and correction of the evils of the fee system.

The following platform was adopted:

"The Virginia Progressive Democratic League, in its first convention assembled, makes the following declaration of principles:

"1. The object of this league is to restore popular government in Virginia, and that we reiterate that all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them. This government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; of all the various modes and forms of government, that is best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath indubitable, inalienable, and indefeasible right to reform, alter or abolish, in such manner as shall be judged most conducive to the public weal.

"To the end that popular government may be restored we favor an amendment to the State Constitution so as to reserve to the people the power of the initiative and referendum and recall as to all officers except judges.

"3. We favor the reform of our general election laws so as to render fraud at the polls impossible, and to that end we favor making wifful fraud in elections a felony.

"4. We favor effective laws prohibiting and punishing attempts to control voters by paying their poll taxes for them.

"5. We believe that the judges and clerks of primary elections should not be appointed by party committees, but that they should be appointed in the manner provided by the laws governing general elections.

"6. We favor taking away from party committee the power to decide contested primary election cases, and placing said contests in the courts, where witnesses can be compelled to attend and where false swearing may be punished as perjury.

"7. We favor a law prohibiting the judges and clerks from using their influence at the polls for or against any candidate or measures at general and primary elections.

"8. We favor making the sessions of all legislative committees and party caucuses open to the public and to the press, and we advocate that every vote taken by the committees shall be recorded and reported to the House.

"9. We favor a Democratic State convention for the reorganization of our party, and a declaration of party principles, all delegates to such convention to be elected in a primary as soon as effective primary laws shall have been enacted.

LOCAL BREVITIES.

Howard W. Smith was appointed general receiver of the Corporation Court Monday to fill the vacancy caused by the death of John A. Marshall.

James R. Caton will leave for Richmond on Monday and will present to the State Corporation Commission, sitting in that city, the application of the Alexandria Hospital, for changes in its charter, which will permit the representation of all churches in Alexandria on its board.

Joseph H. McBride, the 2-year-old son of Mr. and Mrs. James McBride, of St. Elmo, Alexandria county, died yesterday.

Augustus Robey, janitor of Lee School, has constructed a neat book case out of an old bedstead. All who have inspected it have pronounced it a creditable specimen of handiwork.

George A. Pride has instituted a suit in the Circuit Court for the city for divorce from his wife, Jennie V. Pride.

Miss Betsy Page, of Fairfax, is the guest of Miss Emily Johnson in Prince street.

Miss Jean Campbell has returned to her home in Washington after a visit with Miss Anna Barley, in north Washington street.

CANNON TO BE MOUNTED.

The Confederate monument lot, at the intersection of Prince and south Washington streets, in the center of which stands the monument to the "Lost Cause," is to be re-arranged and the two cannon which were recently presented to the city by the United States government, are to be mounted and placed at the foot of the statue. The cannon are of bronze and are 12-pound napoleons.

This action was decided at a meeting of R. E. Lee Camp, of Confederate Veterans, held in Lee Camp Hall last night.

At the same meeting plans for the annual banquet to be given on January 19th, the birthday of Robert E. Lee, were completed. A number of speakers of national reputation will be present on this occasion.

WELL KEPT PUMPKIN.

G. W. Roat, of Holly Hill Farm, Fairfax county, brought to the Gazette office today a pumpkin that was raised in the summer of 1912. It was placed in a bin and was covered with some potatoes and escaped unnoticed. Recently it was taken out of the bin and was found in almost perfect condition.

DEATH OF OLD RESIDENT.

Mrs. Mary Elizabeth Phillips Dies at an Early Hour This Morning.

Mrs. Mary Elizabeth Phillips, widow of James Phillips, died at her home, 1318 Duke street, early this morning. The deceased was 73 years old. She is survived by two children, Joseph Phillips and Mrs. Alice McMenamin.

The deceased was a daughter of the late Joseph Nightingill, who in by-gone years was sexton of several of the Alexandria cemeteries.

Stockholder's Meeting.

The annual meeting of the stockholders of the Las Ovas Company, Incorporated, will be held at Rooms 1 and 2, Alexandria National Bank building, Alexandria, Va., on Tuesday, January 20, 1914, at 3 o'clock, P. M., for the election of directors for the ensuing year, and for the transaction of such other business as may properly come before said meeting.

GEORGE C. REED,
5th St. Secretary.

have been enacted.

"10. We favor the election of delegates to national conventions by presidential primaries as advocated by President Wilson in his message to Congress.

"11. We favor legislation correcting the evils of the fee system.

"12. We favor the election of the corporation commissioners by the people."

Among those taking part in the organization meeting was Lewis H. Machen, of Alexandria.

FIVE PERISH IN FIRES LAST NIGHT

Disastrous Blazes in Paterson, N. J., and Newark, Ohio.

SIX FIREMEN HURT.

Tenement House Residents Rush Into Street Half Clad—Damage at Paterson Will Reach \$150,000.

Paterson, N. J., Jan. 6.—Fire early today gutted the opera house, causing serious injury to six firemen, one of whom may die, and damage estimated at more the \$150,000. The fire was in the heart of the business section.

The firemen were taken to General and St. Joseph's Hospitals, Louis Schandler is in a serious condition from inhaling smoke.

Sparks shot like rockets upon the roofs of the surrounding buildings, where chemicals were used continuously to check the blaze. Many of the nearby buildings are of frame construction, and great holes were burned in their roofs.

Frame tenement houses at the rear of the theatre were emptied of their dwellers, who, panic-stricken, rushed into the streets partially clothed.

While firemen were fighting the flames at the opera house another fire was reported from the Daly Moving picture house. This blaze was soon extinguished and firemen took positions on tenements with chemicals. The fire is believed to have started in the pit of the theatre under the stage. A stock company was playing in the house.

Newark, O., Jan. 6.—Five men are known to be dead and several are seriously injured in a fire which early today destroyed the Kearns Hotel, a second class rooming house and restaurant. Although five bodies have been recovered, firemen are still searching the ruins, as the exact number of persons in the lodging house could not be ascertained, the register having been destroyed.

The fire was discovered shortly before 3 a. m., by Policeman Goss, who awakened Grubb, asleep on the first floor.

Grubb ran up stairs and aroused the guests. When Grubb attempted to escape he found the stairway choked with flames. He rushed through the fire and out onto the street, his clothing afire.

Screaming, Grubb ran down the street and disappeared into the darkness. He has not been seen since. It is known he was badly burned.

When aroused, several of the lodgers rushed to the windows and leaped to the ground in their night clothing. Several stopped to dress. It was five of these who lost their lives. They were overcome with smoke in their rooms.

MUST KEEP OUT OF POLITICS.

Civil Service Commission Issue a Warning to Employees.

Washington, Jan. 6.—The danger of political activity on the part of any member of Uncle Sam's vast army of employes, either in the classified or unclassified service of the Civil Service Commission, is emphasized in an announcement made public by the commission. Violations of the laws preventing Federal officers or employes generally from engaging in political work, the commission declares will not be countenanced.

A copy of the warning has been ordered furnished to every person appointed under the civil service rules and in order that the executive departments may be assured that none has been uninformally a blank receipt is attached. This is to be signed by the individual employes and submitted to their respective bureau chiefs, who, in turn, are ordered to forward it to the departments for purposes of record.

OWLS ATTENTION.

You are ordered to attend a meeting of the Nest this evening at 8 o'clock.

Business, installation of officers. By order of the President.

A. S. MANKIN, Secty.